

Assembly Bill No. 1311

CHAPTER 284

An act to amend Sections 8164, 14669, 14670.12, and 14982 of, and to repeal Section 8878.97 of, the Government Code, relating to state government.

[Approved by Governor October 11, 2009. Filed with
Secretary of State October 11, 2009.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1311, Duvall. State government reports.

(1) Existing law requires the Department of General Services to submit an annual report to the Joint Legislative Budget Committee and each Member of the Legislature that is required to list specified information and include detailed information on all items in the report.

This bill would instead require the department to summarize the information required to be included in the report and would delete the requirement regarding detailed information.

(2) Existing law requires the State Architect to, by January 10 of each year, provide the Joint Legislative Budget Committee and the chairpersons of the fiscal committees in each house of the Legislature a listing of expenditures for activities relating to local government buildings, as specified.

This bill would repeal this requirement.

(3) Existing law requires the Director of General Services to, by March 1 of each year, prepare and submit to the Legislature, as specified, a report listing all leases entered into in the prior calendar year with an option to purchase with another public or private entity that involve office space.

This bill would repeal that requirement.

(4) Existing law authorizes the Director of General Services to lease any real property owned by the state not exceeding 5 acres for a period not to exceed 25 years to governmental entities to further the state's mission to provide emergency services. Existing law requires the director to report annually to the Legislature concerning this authority.

This bill would repeal this reporting requirement.

(5) Existing law authorizes the Department of General Services to enter into exclusive or nonexclusive contracts on a bid or negotiated basis with manufacturers and suppliers of single source or multisource drugs. The department is required to submit an annual report on activities that have been, or will be, undertaken pursuant to those provisions.

This bill would repeal the requirement for that annual report.

The people of the State of California do enact as follows:

SECTION 1. Section 8164 of the Government Code is amended to read:
8164. Commencing January 1, 1979, the department shall report to the Joint Legislative Budget Committee and each Member of the Legislature annually. The report shall summarize all of the following:

(a) Leases by the state to others for residential or commercial purposes in the Capitol area.

(b) Sales or building construction initiated or completed by the state in the metropolitan area expenditures under authority of Section 8169.1, by type.

(c) Transactions and operations of joint powers agencies under authority of Section 8169.4, since the last report.

(d) The department's appraisal of the degree to which projects conform to the Capitol Area Plan.

SEC. 2. Section 8878.97 of the Government Code is repealed.

SEC. 3. Section 14669 of the Government Code is amended to read:

14669. (a) The director may hire, lease, lease-purchase, or lease with the option to purchase any real or personal property for the use of any state agency, including the Department of General Services, if he or she deems the hiring or leasing is in the best interests of the state.

(b) The director shall not enter into a lease-purchase agreement that involves office space, unless specifically authorized to do so by the Legislature. The director shall solicit written bids for any lease-purchase that involves office space in a newspaper of general circulation in the county in which the project is located. All bids received shall be publicly opened and the lease awarded to the lowest responsible bidder. If the director deems the acceptance of the lowest responsible bid is not in the best interest of the state, he or she may reject all bids.

SEC. 4. Section 14670.12 of the Government Code is amended to read:

14670.12. Notwithstanding Section 14670, and with the consent of the state agency concerned, the director may let any real property owned by the state not exceeding five acres for a period not to exceed 25 years, to governmental entities to further the state's mission for providing emergency services, if he or she deems it to be in the best interest of the state.

SEC. 5. Section 14982 of the Government Code is amended to read:

14982. (a) It is the intent of the Legislature that the Department of General Services, University of California, and the Public Employees' Retirement System regularly meet and share information regarding each agency's procurement of prescription drugs in an effort to identify and implement opportunities for cost savings in connection with this procurement. It is the intent of the Legislature that the University of California and the Public Employees' Retirement System cooperate with the department in order to reduce each agency's costs for prescription drugs.

(b) The department shall do all of the following:

(1) Share information on a regular basis with the University of California and the Public Employees' Retirement System regarding each agency's

procurement of prescription drugs, including, but not limited to, prices paid for the same or similar drugs and information regarding drug effectiveness.

(2) Identify opportunities for the department, the University of California, and the Public Employees' Retirement System to consolidate drug procurement or engage in other joint activities that will result in cost savings in the procurement of prescription drugs.

(3) Participate in at least one independent association that develops information on the relative effectiveness of prescription drugs.

(4) Develop strategies, in consultation with the affected agencies, for the state to achieve savings through greater use of generic drugs.

(5) No later than January 1, 2006, and annually thereafter, develop a workplan that includes, but is not limited to, a description of the department's annual activities to reduce the state's costs for prescription drugs and an estimate of cost savings.

(c) Nothing in this section shall be construed to require sharing of information that is prohibited by any other provision of law or contractual agreement, or the disclosure of information that may adversely affect potential drug procurement by any state agency.